

## Interview Summary

Application No.

09/220,275

Applicant(s)

Friend et al.

Examiner

Ardin Marschel

Group Art Unit

1631



All participants (applicant, applicant's representative, PTO personnel):

(1) Ardin Marschel (Exr)(3) Weining Wong (Appl. Rep.)(2) Adriane Antler (Appl. Rep.)(4) Doug Bradley (Rep. Of Assignee)Date of Interview Jan 25, 2002(5) Yudong He (applicant)Type: a) ☒ Telephonic b) ☐ Video Conferencec) ☐ Personal [copy is given to 1) ☐ applicant 2) ☐ applicant's representative]Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:Claim(s) discussed: Proposed amdt to claims 58, 71, and 72

Identification of prior art discussed:

NoneAgreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

We discussed proposed amending to claims 58, 71, and 72 directed to perturbations to living cells or organisms per se as a new limitation. Exr. Marschel indicated that such an amendment would be a new issue requiring further consideration and/or search and thus probably denied entry as an after final amendment due to this new issue status. The filing of such an amendment, however, in a RCE or CPA would be entered and examined as to new issues and most likely expedite prosecution. It was noted that the amendment would have overcome the rejections based on prior art in the final action, mailed 10/26/01. Draft arguments regarding the NEW MATTER issue in said final action appeared to be persuasive regarding said NEW MATTER issue if formally filed.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.